

# CHURCH AND STATE NEWSLETTER

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PROTESTANTS AND OTHER AMERICANS UNITED FOR SEPARATION OF CHURCH AND STATE

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## POLL NOTES HEAVIER PROTEST ON CLARK

The Jesuit weekly, *America*, drew attention recently to what it mistakenly called "the only polling service which has so far reported the public's reaction to the controversy over the appointment of General Clark"—the December 9 poll of the Minneapolis *Sunday Tribune*. (There has also been a Gallup poll on the subject.) Analyzing the Minnesota poll's results, *America* said:

"... it shows that opposition has risen to 46 per cent, as against 32 per cent in favor. This reverses the result of the July 2, 1950, poll, which showed 42 per cent in favor of the Taylor mission, as against 29 per cent opposed. One of the most interesting revelations is that the new poll offers evidence in confirmation of the assumption this Review has made; i.e., that the question of whether the United States sends a 'personal representative' or a 'full ambassador' is not significant in canvassing public opinion. The new poll offered those who wished to make a distinction an opportunity to do so by making a 'qualified' reply. Only one per cent did so, most of them to say that 'we should have a representative at the Vatican but not a full-fledged ambassador.' The switch in public opinion took place chiefly among Protestants. Whereas 32 per cent of them had favored the Taylor mission, compared to 37 per cent opposed, only 19 per cent now favor diplomatic relations, compared to 57 per cent opposed. Some Minnesota Catholics seem to feel that having diplomatic relations with the Vatican is not worth fighting over, since only 71 per cent of them now favor diplomatic relations, whereas 76 per cent favored the Taylor mission last year. The poll proves, as was to be expected, that the campaign of opposition has been effective, at least in the short run, even though 43 per cent of Minnesota's Protestants remain unconvinced." (*America* for-  
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## Second Catholic Brickbat Hurled at Mrs. Roosevelt

For the second time in two and a half years a Roman Catholic prelate has presumed to assay the character and soul of Mrs. Franklin D. Roosevelt, and to pass condemnatory judgment upon her. This time, the prelate involved is Archbishop J. Francis A. McIntyre of the Los Angeles diocese. In the summer of 1949, it was Francis Cardinal Spellman of New York.

Speaking through the medium of *The Tidings*, diocesan newspaper, Archbishop McIntyre questioned Mrs. Roosevelt's fitness to be an official of the United Nations Human Rights Commission because she had described herself as "pretty much of a fatalist" on a radio broadcast which dealt with the philosophical views of famous persons. The Archbishop concluded from this that Mrs. Roosevelt disqualified herself as a leader in "fashioning a bill of human rights to be accepted by the world." "Does this mean," he asked, "an agnostic or an atheistic world?"

### Dawson Comments

As word of the Archbishop's attack was being carried over the press services of the nation, Dr. Joseph M. Dawson, executive director of the Baptist Joint Committee on Public Affairs and recording secretary of POAU, publicly characterized Archbishop McIntyre's statement as an

## CATHOLIC WRITER SEES 'DILEMMA'

Sharp condemnation of President Truman's nomination of an ambassador to the Vatican is voiced by a prominent Roman Catholic layman in the January issue of the *Christian Herald*. In the first of two articles on "America's Religious Dilemma," Thomas Sugrue, well-known newspaperman and author, presents a deep-probing analysis highlighted by forthright comments such as the following:

"As an American Catholic I am expected to approve the idea of sending an ambassador to the Vatican. I don't. I see no good that such a move can do for anyone. It will upset non-Catholics. It will cheer an already over-truculent element in American Catholicism.

"The pope should never have been a power in the outer world; his position is that of an influence, not that of a ruler. If the function of the Roman Catholic Church had remained pure, he would have stayed the head of an organization devoted to the inner world, to the redemption of man.

"A man who represents himself as the Vicar of Christ on earth cannot make political deals with emperors, traffic in indulgences, and sell bishoprics to the highest bidder without reducing the general opinion of his spirituality more than a few degrees. . . ."

"effort to make private religious belief a test for holding public office," in violation of the American tradition.

On the broadcast in question, Mrs. Roosevelt had said: "You have to accept whatever comes, and the only important thing is that you meet it with courage and with the best that you have to give."

## State Aid Valid if Money Not Involved—Stokes

Dr. Anson Phelps Stokes takes issue with the *Church and State Newsletter* over the comment in the December issue on his recent lecture at St. Thomas College, St. Paul, Minn. He writes that he does not believe in "grants by government . . . to denominational or parochial schools"—a fact which was made clear in the *Newsletter*—and proceeds to quote from his lecture, as follows:

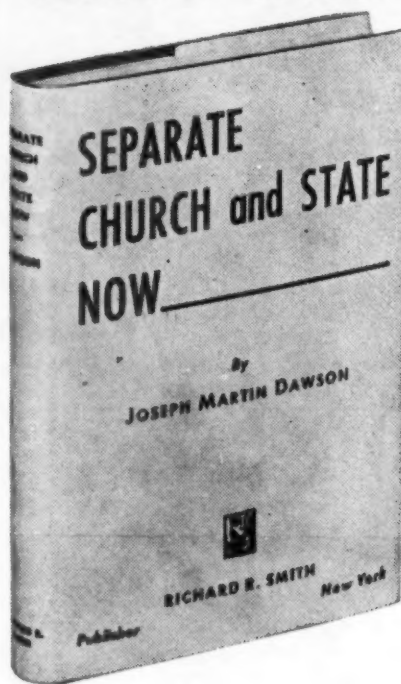
"It will be seen from these [court] cases that during this period enormous gains were made in the protection of religious freedom, and that there was extremely little loss to the cause of religion by court action. An exception is one brief clause used in the *Everson* and *McCullum* cases which seems inconsistent with American traditions, the statement that to 'aid all religions' through legislation is ruled out by constitutional Church-State separation. If this dictum were carried out to its logical conclusion it would mean the end of military and Congressional chaplains, Thanksgiving Day proclamations, Sunday observance laws (even when only of a broad social character), church exemption from taxation, etc. It is to be hoped that some day these three words will be deleted by the Supreme Court or interpreted in a way consistent with the American tradition."

### Rejects Madisonian View

However, this does not dispose of the question. Is government financial aid to the schools of all religions the only kind of aid which was barred by the First Amendment? Dr. Stokes says yes, but James Madison and Thomas Jefferson say no—as is clear from certain passages in Dr. Stokes' own 3-volume *Church and State in the United States*, and from the more incisive analysis in Professor R. Freeman Butts' *The American Tradition in Religion and Education*. Both Madison and Jefferson insisted that the government was to be strictly neutral—i.e., neither friendly nor unfriendly—on all questions of religious doctrine and observance, and they regarded it as an abuse for any public official to use his office to lend moral—as well as financial—support to religious groups. Madison, in a letter of July 10, 1822, to Edward Livingston, declared:

"I observe with particular pleasure the view you have taken of the immunity of Religion from civil juris-

## SPECIAL OFFER



This penetrating book by Dr. J. M. Dawson may now be obtained from POAU at the special price of \$1.00. (List price, \$2.50.)

diction, in every case where it does not trespass on private rights or the public peace. This has always been a favorite principle with me; and it was not with my approbation that the deviations from it took place in Congress, when they appointed Chaplains, to be paid from the National Treasury. It would have been a much better proof to their constituents of their pious feeling if the members had contributed for the purpose, a pittance from their own pockets. As the precedent is not likely to be rescinded, the best that can now be done, may be to apply to the Constitution the maxim of the law, *de minimis non curat*."

Looking on "Executive Proclamations of fasts and festivals, so far, at least, as they have spoken the language of *injunction*," as another "deviation," Madison explained to Livingston that while he was president he "found it necessary on more than one occasion to follow the example of predecessors," but "was always careful to make the Proclamations absolutely indiscriminate, and merely recommendatory. . . ." For his part, Thomas Jefferson, during his occupancy of the White House, declined to make such proclamations at all. In regard to tax exemption,

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## THE 'NUMBERS' GAME —An Editorial—

Every human being has an inalienable right to profess, adopt, or reject any religion. The infringement of this right is, therefore, an offense against humanity—and the offense is to be condemned whether committed by a king, a pope, a chief executive, a legislature, a mayor, a public school official, or the majority of the people in a community. This elementary principle bears repetition because of the tendency of many persons to justify religious—as well as political—repression on the ground that a "majority" in the nation, or in a given state or community, are of one mind on certain questions. Democracy means something more than majority rule—it means majority rule with minority rights.

In Spain, "public worship" by non-Catholics is forbidden on the ground that the "majority" of citizens are Roman Catholics; in Montreal, Canada, police are seeking court penalties against nearly six hundred storekeepers who have defied a "majority"-endorsed by-law which requires the closing of shops on six specified Roman Catholic holidays; in New York State, a continuing controversy has been precipitated by a recent recommendation of the Board of Regents that all public schools begin the day with a prayer acceptable to the "majority." These are only a few of the many instances where "majority rule" has been invoked in the realm of religion. Such a perversion of democratic principle is understandable in countries with an anti-democratic tradition or a record of incomplete dedication to liberty, but it has no proper place in the United States under a constitution which guarantees the separation of church and state.

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### Church and State Newsletter

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CHURCH AND STATE NEWSLETTER



## NEWS From Far and Near

◆ Despite repeated convictions under the compulsory education law, Pennsylvania Amish parents are still appealing to the courts for redress on the ground that they are conscientiously opposed to "higher education." An appeal brought by five parents residing in Belleville, Reedsville, and Allenville will be heard by the Mifflin County Court. Present law requires school attendance until the age of 18, but the Amish parents believe in taking their children out of school at 14, or when they complete the first eight grades.

◆ The *status quo* with regard to religious courts is being maintained in Israel as a temporary expedient, but it is a fundamental constitutional question which must be resolved in time, an Israeli official recently told a Boston meeting. Haim J. Zadok, Deputy Attorney General of Israel, declared: "The courts of the various religious communities—the Jewish as well as the Christian and Moslem communities—have jurisdiction in certain matters of personal status affecting their members, such as marriage and divorce. While the orthodox groups would like to see this jurisdiction extended, the non-orthodox section of the population is in favor of its restriction or abolition."

◆ A petition against allowing "religious plays and pageants of a creedal nature" in the public schools was recently rejected by the New York State Department of Education. Arthur G. Cromwell, an architect of the village of Williamson, had contended that Christmas and Easter observances in Williamson, Newark, and Sodus were religious in nature and out of place in the public schools. State Education Commissioner Lewis A. Wilson declined, in his ruling, to deal with the facts pertaining to the specific pageants cited by Cromwell because they had been "presented some time ago and the record does not completely indicate their content. . . ." Instead, Wilson merely noted that "public school property may not be utilized for instruction in religion," adding that exclusion of the pageants to which Cromwell objected might manifest a "governmental hostility to religion" which was not intended by the Founding Fathers. Cromwell, however, declares that all the evidence he presented was at first ruled out on a technicality and later ignored when presented in "proper" form, and that "without benefit of making an appeal or filing briefs or having our day in court, we were sent the 'Decision' this last Monday, December 10."

◆ A plan to distribute Gideon Bibles to public school children in Louisville, Ky., is being held in abeyance because of objections from principals, religious leaders, and private citizens. City School Superintendent Omer Carmichael said Jews and a number of Christians, including "perhaps some Catholics," have questioned the propriety of the plan. Carmichael indicated that he still hopes to go ahead with the distribution after conferring with various leaders. (RNS)

◆ The "ghetto existence" of Protestants in Spain was described by Dr. John A. Mackay, president of Princeton Theological Seminary and vice-president of POAU, at the recent annual meeting of the Friends of the World Council of Churches in St. Bartholomew's Protestant Episcopal Church, New York City. Spanish Protestants are a vigorous minority, Dr. Mackay said, in spite of prohibitions against public signs at their meeting places, organizing their own schools, or conducting services in their own homes—and in spite of business and professional discriminations against them, too.

◆ The brief comment previously carried in this column (*Church and State Newsletter*, November, 1951) on the evangelical activities of Ed Grant in the Youngstown (Ohio) public school system has given rise to further correspondence on the subject from the Youngstown school superintendent's office and a spokesman for the Youngstown Council of Churches. These letters indicate that Grant's "youthful enthusiasm led him beyond the limits of his instruction" by the school officials, and that "double care will be exercised on future occasions" to prevent a repetition of such indiscretions. But a fundamental question remains: If religious spokesmen are to be "instructed" or supervised by public authorities about what they may or

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## PRIESTS TO CENSOR INDIANA TEXTBOOKS

On the theory that Roman Catholics are "considerably versed in being able to spot Communist or subversive influences," Wilbur Young, Indiana Superintendent of Public Instruction, has asked nineteen priests to help him select 169 books to be used in the state's public schools for the next five years.

The move for clerical censorship of textbooks was first revealed in an Associated Press story which said that Young had appointed two persons—the Rev. Francis Reeves, a Dover priest, and Professor Paul Seehausen of Valparaiso University—to "look over 38 textbooks in geography and social studies. . . ." Upon learning of this, the *Church and State Newsletter* wrote to Young inquiring whether he really expected "a clergyman bound by Roman Catholic canon law to exercise this function in the public interest." The Superintendent has not replied to the inquiry. (According to pronouncements made by many high dignitaries of the Roman Catholic Church, including several popes, "error" [i.e., all non-Catholic points of view] has not the same rights as "truth" [i.e., Roman Catholic beliefs]. In regard to education, Canon 1374 of Roman Catholic canon law says: "Catholic children must not attend non-Catholic, neutral, or mixed schools, that is, such as are also open to non-Catholics. It is for the bishop of the place alone to decide, according to the instructions of the Apostolic See, in what circumstances and with what precautions attendance at such schools may be tolerated, without danger of perversion to the pupils.")

### Action Assailed

Soon after Father Reeves and Professor Seehausen were appointed—and before Superintendent Young invited a total of nineteen Roman clerics to join the textbook witch-hunt—the Indianapolis Ministerial Association protested the action and formed a committee to combat it. The Rev. George St. Angelo, Association president, is chairman of the committee.

Superintendent Young is said to be "a Methodist" and "a Mason."

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What Is POAU?, a new brochure by Stanley Lichtenstein, is now being printed for distribution.

# 'Conscience' vs. 'Law' Debated by Pike, Archer

Public school authorities and church leaders should disregard the United States Supreme Court decision in the McCollum case of 1948, which invalidated "released time" religious classes as conducted in the public school at Champaign, Illinois. This contention was repeated with renewed emphasis by Dr. James A. Pike in a recent reply to criticism of him which had appeared in the *Church and State Newsletter* (November, 1951). Dr. Pike is chaplain of Columbia University and dean-elect of the Cathedral of St. John the Divine, New York City.

"The McCollum decision," declared Dr. Pike in an address at the Washington Cathedral, "is in violation of the First Amendment in that it limits 'the free exercise of religion' in an important area of life, and for no Christian—clergyman or layman—is the law of his nation the final guide to his conscience, especially as a matter of fundamental human rights." Appealing to the example set by the abolitionists of the last century in defying the Dred Scott decision, the Episcopal clergyman exhorted present-day Americans to defy the McCollum decision on grounds of "conscience." In so doing, he ignored a glaring difference between the Dred Scott and McCollum decisions—the former held that one class of society (Negro slaves) had "no rights" which another and larger class (free whites) was "bound to respect," whereas the latter decision upholds the conscientious right of all classes of the population—whether members of a majority or a minority—to accept or reject any religion or religions.

Dr. Pike also chided POAU for being willing to accept Justice Frankfurter's "infallibility" while rejecting the "infallibility" of the Pope. After POAU Executive Director Glenn L. Archer pointed out, in reply, that the "opinion of the Court" in the McCollum case was delivered by Mr. Justice Black on behalf of eight justices, of whom Justice Frankfurter was only one, Dr. Pike altered his charge to read that POAU was "infallibilizing the Supreme Court." On this, Archer commented:

"Under the American form of government, great constitutional questions, when appealed to the Supreme Court, are decided by that body. This does not mean, as Dr. Pike alleges, that the Supreme Court justices are considered infallible. If any number of American citizens agree with Dr. Pike that religion should be taught in the public schools, they are free to work for passage of a constitutional amendment repealing

the First Amendment, which the Supreme Court upheld in the McCollum decision."

## Catholic View

During this controversy, and in a subsequent statement of views which Dr. Pike furnished to the *Church and State Newsletter* upon its request, he took a position identical with that of J. M. O'Neill and other Roman Catholic writers who argue that the First Amendment restricted only the federal government, and left the states free to establish religion should they so desire. It is not surprising, therefore, that the National Catholic Welfare Conference news service (NC) took note of Dr. Pike's assault on POAU in a lengthy story which quoted the assault in great detail while quoting only one sentence of POAU's reply.

In a previously published statement on "Secularization of the Pub-  
(Continued on back page)

## Binghamton Halts Church Use of School Buildings

The use of public school classrooms for religious instruction has been abandoned at Binghamton, N. Y., following a complaint made by the Rev. Dr. George L. Tappan which resulted in a state ruling against the practice. Dr. Tappan is pastor of the Ross Memorial Presbyterian Church and a member of POAU's National Advisory Council.

After announcement of the decision, Father Clement D. Shaughnessy, a local Roman Catholic priest, declared in his parish bulletin that "the anti-Christ forces have succeeded in getting religious instruction out of the public school buildings." (Although use of the classrooms had been granted for more than 30 years to religious groups meeting after school hours, only Roman Catholic clergymen had availed themselves of the privilege.) In contrast, however, the Rev. William J. Morris, a colleague of Father Shaughnessy, said that the Catholic clergymen had "withdrawn from the schools without any bitterness or rancor toward local authorities or the State Department of Education." He added that Catholic officials would henceforth seek to use the "released time" system as a substitute for their former arrangement.

## AUTHOR MEETS CRITIC



Father Mathias Burger of Mt. Angel (Ore.) Seminary and Paul Blanshard (above) exchange pleasantries during Blanshard's visit there on November 28—the only occasion on which a Roman Catholic educational institution has accepted the author's offer to debate his theme before an all-Catholic audience.

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# Another Tax Problem—Special Exemptions for Roman Clerics

At a time when newspapers are full of headlines concerning scandals in the U. S. Internal Revenue Department, it is POAU's painful duty to reveal still another questionable situation—a situation which involves favoritism shown by the department to members of Roman Catholic religious orders. After months of investigation, POAU has accumulated sufficient evidence to demonstrate that the income tax status of many Catholic clerics is a legal riddle which, though it defies logical analysis, does have the practical effect of enabling members of the Roman clergy to dodge taxes which their counterparts in the non-Roman churches must pay. By way of illustration, the riddle, as it pertains to members of certain Roman Catholic orders, may be divided into two parts:

1. Q. When is an agent of the (Roman) church not an agent of the (Roman) church? A. When the agent of the (Roman) church is employed as a public school teacher—which is the case in many communities in the United States today. For the purpose of placing teaching nuns and brothers on the public payroll, local authorities regard them as independent contractors and not as agents of the church, for it would be illegal for someone acting as an "agent of the church" to teach in the public schools.

2. Q. When is an agent of the (Roman) church an agent of the (Roman) church? A. When the agent of the (Roman) church is paid a government salary on which he or she escapes income tax on the theory that the salary is turned over to the church order for which he or she is agent.

As an example of the above situation, POAU possesses a copy of a letter sent from the St. Louis office of the Collector of Internal Revenue to Miss Dorothy Fernau, secretary to the Superintendent of the Lincoln County Reorganized School District No. 1 at Silex, Missouri, under date of May 2, 1951. It reads:

"Dear Miss Fernau:

"In Re: Millwood District No.

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"Reference is made to that part of your letter of April 26, 1951, requesting advice as to whether the withholding tax is applicable to amounts received by Sisters of the Precious Blood, who taught in the above captioned school. You state that inasmuch as this school was taught by Sisters of the Precious Blood, you were advised that it

was not necessary that withholding deductions be made from their salaries.

"You are advised that Nuns, who have taken the vow of poverty, are not liable for the income tax on amounts earned by them and turned over to the religious order of which they are members, in compliance with such vows.

"Accordingly, it is the opinion of this office that if the Nuns in question turn over to their Order the amounts earned by them as teachers in public schools, such earnings are not subject to the income tax and the withholding tax should not be applied thereto.

"Yours very truly,

"Thomas E. Copley,

Acting Collector

/s/ M. E. Walsh

"By

M. E. Walsh,

Tax Returns Specialist"

## Evasive Replies

In an effort to obtain an authoritative statement of policy from the tax collector's office in Washington, POAU Executive Director Glenn L. Archer on September 26, 1951, submitted to the Commissioner of Internal Revenue, John B. Dunlap, five questions, as follows:

"1. When a Roman Catholic priest receives \$20, let us say, for a mass for the dead, and the regular charge in the parish schedule of fees for that mass is \$10, is the extra or second \$10 counted as taxable income" under "that portion of the Internal Revenue regulations summed up in Commerce Clearing House, paragraph 515, Regulation Sec. 29.22(a)2. . . ?

"2. When a Protestant clergyman or Jewish rabbi receives an emolument of \$20, let us say, for the performance of a marriage ceremony, and there is no stated fee for such service, since Protestant and Jewish religious institutions do not announce fee schedules for such services, is the Protestant clergyman or Jew-

## POLL

(Continued from page 1)

gets at this point that only 19 per cent of the "unconvinced" Minnesota Protestants are in favor of the appointment.)

Results of the Gallup poll, made public on December 8, indicated that only 60 per cent of those questioned were acquainted with the controversy over the nomination of an ambassador to the Vatican. Nineteen per cent favored the appointment, 29 per cent opposed it, and 12 per cent had no opinion. Forty-three per cent of the Catholics who were polled favored it, 12 per cent opposed it, and 10 per cent had no opinion. Twelve per cent of the Protestants who were polled favored it, 35 per cent opposed it, and 11 per cent had no opinion. The Gallup poll showed an even sharper swing of opinion against diplomatic relations with the Vatican than did the Minneapolis Tribune poll, for Gallup had reported in August, 1950, that three out of every four persons polled were in favor of the Myron Taylor "personal" mission.

*"The Anabaptists (they preferred to call themselves Baptists) had a theory of the Church that necessitated its separation from the State, because they claimed that the Church should be composed only of heartfelt believers of upright life, whereas the State should include the total body of the inhabitants in a community."*

—Roland H. Bainton in *The Travail of Religious Liberty: Nine Biographical Studies*, Philadelphia, Westminster Press, 1951, 266 pp., \$4.00.

ish rabbi obliged to pay an income tax on the whole amount?

"3. Has the department made any specific ruling, or has any court passed judgment on the question of whether the extra amount received by a priest for Catholic service above announced fees is taxable? If so, could you send me a copy of the ruling or court judgment?

"4. Is a barber or waiter who renders a service to clients and who receives therefor X dollars for the service and Y dollars for the tip, permitted to break down the Y dollars into (a) reasonable gratuities for the services rendered, and (b) extra emolument which should not be considered as income under the tax laws?

"5. Could you give me the appropriate legal citations for

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## Truman's Door Closed To Dr. J. M. Dawson

Dr. J. M. Dawson, executive director of the Baptist Joint Committee on Public Affairs and recording secretary of POAU, recently made public without comment an exchange of letters between himself and the White House which indicates that President Truman may be "out" in the future to callers who have sharply criticized his appointment of an ambassador to the Vatican, even though they may wish to see him on an entirely different matter. The letters follow:

"October 19, 1951 [the day before President Truman announced his move to establish diplomatic relations with the Vatican].

"Dear Mr. President: Although I have represented 16,000,000 Baptists in Washington through this office during the past five years, I have never intruded upon you except once; then about an important matter connected with voluntary relief work in Europe. I do not now and shall never try to take advantage of the fact that we are fellow Baptists to urge any subject upon your attention. There is, however, now an urgent question entrusted to me by people of many faiths and no faith affecting the Government, about which I wish a few moments to confer with you as early as possible. If at all permissible, I would respectfully solicit a few moments of your time Monday, October 22, or as early thereafter as you can allow. . . ."

### Reprisal

To this letter, Dr. Dawson received a reply from Matthew J. Connelly, the President's secretary, dated October 30:

"Almost simultaneously with the receipt of your letter of October 19 requesting an appointment, the President read in the press a statement credited to you attributing a base and despicable motive to his action in nominating an Ambassador to the State of Vatican City. Indeed, you were quoted as saying it is 'a frantic bid for holding machine-ridden big cities in the approaching hot Presidential race.'

"If this is a correct quotation, the feeling at the White House is that no useful purpose could be served by the conference which you request. . . ."

On November 2, Dr. Dawson answered Connelly's letter as follows:

"Your letter of October 30 has been received. Allow me to say that

## An Old Problem

"In New York we feel, as in Londonderry you do not, the pressure of Old-World prelaty in determined, though as yet quiet, efforts to break up our common schools into theological fragments, each under the control of the hierarchy of some sect or denomination. I deprecate the change thus sought as perilous, if not fatal, to republican institutions. When the time shall have come for apportioning our children to Catholic, Orthodox, Liberal, Baptist, Methodist or Unitarian primary schools, I shall apprehend that the last sands of the Republic are nearly run. When our common schools shall have perished, we may still have a country; but it will not be the land of Liberty and Equality for which our fathers toiled and suffered, and poured out their blood. . . ."—Horace Greeley, in an address delivered in England in 1869.

my request for an interview with the President was made before I had any inkling of the President's forthcoming announcement of his appointment of General Clark to the position of Ambassador to the Vatican, and concerned a different matter; namely, the bill, H. R. 2094 (providing for government aid to District of Columbia church hospitals and passed by Congress). Since the President in the meantime has signed the bill as passed, I agree with you that no useful purpose could be served by granting the conference which I requested, hence I am not disappointed.

"In regard to my statement to the press about the Vatican appointment, which you assign as the reason for the White House decision not to grant the conference, I must first be permitted to call attention to the slight error in your statement. I said his appointment 'perhaps,' etc., which of course is not a positive declaration as stated in your letter. Apparently my statement is the common judgment of practically all Americans, who, whatever their position in regard to the propriety of the appointment, feel that political expediency dictated the appointment. I am one of very many Americans who trusted the President's pledged word made more than once to Protestants that no diplomatic relations would be established with the Vatican. I have repeatedly defended the President's pledged position before critical audiences throughout the country, and sometimes at considerable cost to myself in doing so. I was so shocked that you can well understand how I would agree with millions of others in their expressed judgment as to the reason for it. . . ."

## HOSPITAL HEADS BAR EX-PRIEST

The superintendent of Memorial Hospital at Phoenix, Arizona, recently withdrew the hospital's application for membership in the American College of Hospital Administrators (A.C.H.A.) because of alleged religious discrimination by the College. Memorial Hospital was formerly known as St. Monica's Hospital, and Emmett McLoughlin, the superintendent, is a former Roman Catholic priest.

Superintendent McLoughlin, who is a personal member of the American Hospital Association, has an extensive background in the field of health. Among his other activities, he is Arizona chairman of the Civil Defense Council Hospitalization Committee; 1951 chairman of the Arizona Hospital Association's Legislative Committee; a member of the Maricopa County Medical Committee of the National Foundation for Infantile Paralysis; secretary of the Arizona State Board of Health; and a member of the Board of Directors, Arizona Blue Cross. He was the founder and administrator of St. Monica's Maternity Home and Veneral Clinic from 1935-1944 and president of the hospital's board of trustees from 1944 to 1949.

### Qualifications Ignored

In spite of this distinguished record, the only word McLoughlin ever received concerning the application—and this only after many months of delay—stated: "After careful consideration of your application the [credentials] committee was unable to recommend you for admission at this time." This letter was signed by Executive Director D. Conley.

Shortly afterwards, McLoughlin, in a letter to A.C.H.A. President Frank J. Walter, noted: "As an ex-Roman Catholic priest I have experienced this evasiveness before. I had been told that Dean Conley is a Catholic so I expected that every effort would be made to keep me out of your organization. . . ."

"... My educational background is certainly equal to that of the majority of your members. I have been administrator of this hospital since its founding seven and one-half years ago. It is fully approved by the A.H.A., A.C.S., and A.M.A. It is approved for eight internships, medical, surgical, and radiological residencies. It is operating an approved

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CHURCH AND STATE NEWSLETTER

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## PAROCHIAL PUPIL—AND FAMILY



Uncle Sam is in for a big surprise if he picks up that little hitchhiker!

## NEWS From Far and Near

(Continued from page 3)

may not say, are they not submitting to a form of government censorship which requires them to "water down" their doctrines? Would it not, then, be better for them to speak in private auditoriums rather than accept the dubious hospitality of public school administrators?

♦ Is the Evangelical Church a "tolerated" church under the Greek Constitution? This question is expected to come before the Supreme State Council—highest judicial body in the land—as the result of an appeal brought by the Rev. John Paul Pappas against a refusal of the Ministry of Cults to renew his permit to hold evangelical meetings at Kallithea, a suburb of Athens. Pappas is a Methodist and a representative of the Oriental Missionary Society of Los Angeles, California, which also sponsored evangelical broadcasts over the Athens radio until the government placed a ban on them recently. This group is one of many which labor under constant harassment in a state which has an established church.

♦ School lunches and medical services will be provided by the Puerto Rican government to public and non-public school children alike under the latest revision of a draft Constitution which will be submitted to the voters on January 21. The original clause, favored by Protestant leaders (*Church and State Newsletter*, December, 1951), would have prevented the direct or indirect use of public funds and properties on behalf of religious institutions. Explaining the revision, Governor Luis Munoz-Marin declared: "We are taking some risk in providing in our Constitution that social services be extended to children in parochial schools. To give any further aid would cause the United States Congress to refuse to ratify the Constitution. I think the Catholic prelates are in favor of this, and Protestants understand that such a thing is fair. We want brotherhood among Puerto Ricans, but no church should claim something that would make it responsible for the rejection of the Constitution."

♦ Spanish officials in Madrid recently acted to prevent distribution of United Nations material portraying the struggle for human rights. The banned shipment consisted of picture albums prepared by the UN's Educational, Scientific, and Cultural Organization. "Christian" Spain still finds that discussion of human rights endangers the tranquillity of the country.

## Blanshard Urges New Reformation

"Nine theses for a continuing American Reformation" in the spirit of Martin Luther were presented by Paul Blanshard, author of "Communism, Democracy and Catholic Power," at a Reformation Day assemblage in the American Legion Auditorium in Roanoke, Va. The theses were:

"1. Make America a place of complete religious equality for all creeds.

"2. Never allow a dollar of public money to be spent for a sectarian purpose.

"3. Oppose the appointment of any ambassador to any church.

"4. Vote for a Catholic candidate for public office only if he repudiates the boycott of public schools contained in Canon 1374 of his church.

"5. Marry a Catholic only on a basis of complete reciprocity and 50-50 fair play.

"6. Hire a Catholic doctor for childbirth cases only if he agrees to put the life of the mother first.

"7. Contribute to a Catholic hospital only if its director publicly pledges no discrimination against birth control.

"8. Support those editors, publishers, and theater owners who have the American courage to oppose Catholic censorship.

"9. Remember that most of your Catholic neighbors are as good Americans as you are, and that they can be won to a program of broad tolerance and fair play by tactful persuasion."

## Hospital Heads

(Continued from preceding page)

school of nursing. . . "

Finally, after continued delay, McLoughlin formally withdrew his application in a letter which commented: "Your own vice-president tells me that even he does not know who the members of the 'credentials' committee are nor on what basis they accept or reject members. It is no honor to belong to an organization that gives no reasons for its decisions and cloaks its arbitrariness in anonymity."

(Cut out and Mail)

HERE IS MY GIFT

Believing in the work you are doing I enclose \$\_\_\_\_\_

(Make check payable to POAU, 1633 Mass. Ave., N. W., Washington 6, D. C.)

☐ I wish to become a member (\$3 or more)

☐ Please RENEW my Membership.

☐ This is payment on pledge.

Name \_\_\_\_\_

Mailing Address \_\_\_\_\_  
ja-52

## APOSTOLIC DELEGATE DODGES REPORTERS

POAU headquarters obtained the following information from a professional journalist who is in contact with Washington newspaper circles:

"The Washington correspondent of an Eastern metropolitan newspaper recently received a message from his editor advising him that a high Catholic prelate from that city had gone to Washington to see the Apostolic Delegate, the Most Rev. Amleto Giovanni Cicognani.

"The editor requested that the correspondent interview the prelate and file a story on his visit to the capital.

"This the correspondent tried to do. He soon learned that the Apostolic Delegate's residence and office have unlisted telephone numbers which are known only to a handful of persons. . . .

"He learned, too, that the monsignor who answers the door at the Apostolic Delegate's residence at 3443 Massachusetts Avenue, N.W., is cold to the point of incivility and states that all news about the apostolic delegation is handled by the National Catholic Welfare Conference (N.C.W.C.). A call to the N.C.W.C. brought the information (a) that they didn't know the prelate in question was in town, (b) that if he was, there could be no interviews, (c) that there would be no press statement whatsoever from the apostolic delegation as 'that never is done,' and (d) that the correspondent was wasting his time and should advise his editor that the paper might seek an interview with the prelate through the regular channels of his office at home.

"The correspondent commented that a recent assignment which in-

## Pike vs. Archer

(Continued from page 4)

lic Schools" which Dr. Pike sent to POAU headquarters as a further elaboration of his view, he frankly avowed that he did not seek "a strictly fair solution" since such a solution "cannot be achieved in any case. . . ." Instead, he explained, he hoped to see the public schools in "homogeneous" communities teaching religious doctrines from a "classical Christian" orientation—in preference to a "semi-unitarian one along the lines of the now old-fashioned Protestant liberalism" which Dr. Pike finds not to his liking. If this view prevails, it will mean that the "old-fashioned Protestant liberalism" of Thomas Jefferson (a Unitarian) and James Madison will have become a dead letter in American life.

## Tax Problem

(Continued from page 5)

the cases used as precedents for the present policy on tips and gratuities used by the Bureau of Internal Revenue?"

Instead of replying to the above inquiries, however, the revenue department sent a curt note, stating that such income tax "advice" could be given only to a "taxpayer or other party at interest" in a specific case.

It is evident from these letters and other documents which POAU has in its files that the entire matter of special income tax exemptions for certain religious functionaries will bear considerable looking into.

involved a call upon the Russian Embassy [not noted for its cooperativeness] resulted in (1) more polite treatment, and (2) the same amount of news."

## STOKES

(Continued from page 2)

too, Madison saw a "danger of encroachment by Ecclesiastical Bodies . . . [as] in Kentucky, for example, where it was proposed to exempt Houses of Worship from taxes." (*Detached Memoranda*.)

Dr. Stokes also mentions Sunday laws. On this point, it may be useful to refer him to a story which appeared in the May, 1951, issue of the *Church and State Newsletter* under the heading, "Sunday Closing Laws Remain Thorny Issue."

## 'Numbers' Game

(Continued from page 2)

In a speech to Congress on June 8, 1789, James Madison, "father of the Constitution," declared: "The prescriptions in favor of liberty ought to be leveled against that quarter where the greatest danger lies, namely, that which possesses the highest prerogative of power. But this is not found in either the executive or legislative departments of Government, but in the body of the people, operating by the majority against the minority." These words should be remembered today whenever any public official seeks to utilize his position to lend support to the religious practices of the "majority." The "numbers" game is worse than useless when applied to problems in church-state relations.

## Away With Pretense!

"Advocates who argue that the appointment [of an ambassador to the Vatican] is not to a religious leader but to the ruler of the scrap of real estate called Vatican City do not get much support here [in Rome]. The mission is either to the Pope as the head of a worldwide church or it is nothing, it is pointed out; to pretend anything else is to make the appointment useless or reduce it to absurdity. All other countries sending representatives to the Vatican accredit them to the Holy See, and if the United States decides to send one at all it will follow the regular formula."—Anne O'Hare McCormick, in her column in the New York "Times" of December 24, 1951.

According to present indications, 24 Senators are now definitely opposed to the establishment of diplomatic relations with the Vatican. A majority vote is required for Senate confirmation of presidential appointments.

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